

REMARKS/ARGUMENTS

The above-identified patent application has been reviewed in light of the Examiner's Action dated July 18, 2007. Claims 1, 12, 19, and 22 have been amended, without intending to abandon or to dedicate to the public any patentable subject matter. No claims have been canceled. Accordingly, Claims 1-26 are now pending. As set forth herein, reconsideration and withdrawal of the rejections of the claims are respectfully requested.

Claims 1-3, 7, 11, 12-14, 18, 22 and 24-26 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent Application Publication No. 2002/0083462 to Arnott ("Arnott"). In addition, Claims 4-6, 8-10, 15-17 and 23 stand rejected under 35 U.S.C. §103 as being unpatentable over Arnott in view of U.S. Patent No. 6,831,675 to Shachar et al. ("Shachar"), and rejects Claims 19-21 under 35 U.S.C. §103 as being unpatentable over Shachar in view of Arnott. In order for a rejection under 35 U.S.C. §102 to be proper, each and every element as set forth in a claim must be found, either expressly or inherently described, in a single prior art reference. (MPEP §2131.) In order to establish a *prima facie* case of obviousness under §103, there must be some suggestion or motivation to modify the reference or to combine the reference teachings, there must be a reasonable expectation of success, and the prior art reference or references must teach or suggest all the claim limitations. (MPEP §2134.) However, all of the claim elements cannot be found in the cited references, whether those references are considered alone or in combination. Accordingly, reconsideration and withdrawal of the rejections of the claims as anticipated by or obvious in view of the cited references are respectfully requested.

The claimed invention is generally directed to providing video-telephony integration

using an integrator application that integrates the operation of a telephone or telephony function with the operation of a video device. More particularly, the claimed invention specifies that such an integrator application is active on each endpoint that is party to a video telephony communication. In operation, a first or initiating communication endpoint establishes an audio telephony communication channel with a second communication endpoint. The integrator application on the first communication endpoint determines whether the second communication endpoint has video capabilities. In response to determining that the second communication endpoint has video capabilities, the first integrator application initiates a video communication between the first and second communication endpoints. At the second communication endpoint, the second integrator application activates a video device.

The Arnott reference is generally directed to an apparatus and method for establishing audio and video conferencing. More particularly, Arnott discusses the provision of video phone appliances 200 with first and second interfaces for voice and video transmissions respectively. (Arnott, paragraphs 29-31.) However, Arnott does not teach, suggest or describe separate telephony and video functionalities in a communication endpoint, and Arnott does not teach, suggest or describe an integrator application. Instead, Arnott provides an integrated video phone appliance. Therefore, unlike the claimed invention, Arnott does not need to provide an integrator application that is separate from such functions in order to provide the video telephony communications. Moreover, as acknowledged by the Office Action, Arnott does not teach, suggest or describe contacting an authority or a communication endpoint that includes a general purpose computer.

The Shachar reference is generally directed to a system and method for video conference initiation. The system discussed by Shachar includes a plurality of user sites 100 that each include video conference terminals 110 and audio communication terminals 130. (Shachar, col. 2, lines 16-20.) In addition, the Shachar system includes a video conference controller 40 in communication with the video conference terminals 110 via a communication network 8. The video conference controller may initiate a video conference between various video conference terminals 110. The Shachar system also discusses a voice first controller 30 that accesses a database 20 for information regarding whether or not video conference capability exists for terminals associated with an audio communication terminal and the address of the relevant video conference terminals. (Shachar, col. 6, lines 23-31.) Accordingly, Shachar provides a centralized controller arrangement in which a single voice first controller 30 and a single video conference controller 40 operates to provide video conferencing capabilities between user sites. However, Shachar does not teach, suggest or describe providing an integrator application with each communication endpoint as generally set forth by the pending claims.

Accordingly, neither the Arnott nor the Shachar references teach, suggest or describe an integration application in each communication endpoint having functionality as set forth in the pending claims. In particular, the Office Action indicates that the Arnott reference discusses an integrator application in figure 2. However, there is absolutely no illustration or accompanied description of an integrator application as claimed in the Arnott reference. Instead, Arnott is directed to the use of video telephony devices, for which there is no need for an integrator application.


The Shachar reference is found by the Office Aciton to also recite a first integrator application that queries a video dial plan record. However, Shachar does not teach, suggest or describe the provision of an integrator application as part of each communication endpoint that is party to a video communication as claimed, or that provides particular functions as claimed. Therefore, for all of these reasons, the rejections of the claims as anticipated by or obvious in view of the cited references should be reconsidered and withdrawn.

The application now appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if doing so would be of assistance.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: \_\_\_\_\_

  
Bradley M. Knepper  
Registration No. 44,189  
1560 Broadway, Suite 1200  
Denver, Colorado 80202-5141  
(303) 863-9700

Date: October 16, 2007